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COUNSEL FOR DEFENDANTS

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

DOUG LAIR, STEVE DOGIAKOS,  
AMERICAN TRADITION PARTNERSHIP,  
AMERICAN TRADITION PARTNERSHIP  
PAC, MONTANA RIGHT TO LIFE  
ASSOCIATION PAC, SWEETGRASS  
COUNCIL FOR COMMUNITY  
INTEGRITY, LAKE COUNTY  
REPUBLICAN CENTRAL COMMITTEE,  
BEAVERHEAD COUNTY REPUBLICAN  
CENTRAL COMMITTEE, JAKE OIL, LLC,  
JL OIL, LLC, CHAMPION PAINTING,  
INC., and JOHN MILANOVICH,

Plaintiffs,

v.

JONATHAN MOTL, in his official capacity  
as Commissioner of Political Practices;  
TIM FOX, in his official capacity as  
Attorney General of the State of Montana; and  
LEO GALLAGHER, in his official capacity  
as Lewis and Clark County Attorney,

Defendants.

CV 12-12-H-CCL

**SUPPLEMENTAL  
DECLARATION OF  
PATRICK M. RISKEN  
RE: DEFENDANTS'  
STATEMENT OF  
DISPUTED FACTS**

I, PATRICK M. RISKEN, make the following Declaration under penalty of perjury:

1. I am co-counsel for Defendants in the above action, am over the age of 18 years, am competent to testify as to the matters set forth herein and make this Declaration based upon my own personal knowledge and/or belief. I am generally familiar with the claims, materials, documents, pleadings, and public records regarding this matter.

2. Attached hereto as Exhibit A is a true and correct copy of an excerpt of the document 1906-Present Historical Ballot Initiatives and Referenda, published by the Montana Secretary of State, as a reference concerning the 1994 Initiative 118.

2. Attached hereto as Exhibit B is a true and correct copy of *Defendants' Answers to Plaintiffs' First Set of Requests for Admissions*, referenced in *Defendants' Statement of Disputed Facts*, filed herewith.

3. Attached hereto as Exhibit C is a true and correct copy of excerpts of the testimony of witnesses in the trial of *Montana Right to Life Ass'n., et al. v. Robert Eddleman*, U.S. District Court (Montana) No. CV-96-165-BLG-JDS, held in Billings, Montana from March 27-30, 2000. These excerpts are in addition to those from the same trial cited in *Plaintiffs' Statement of Undisputed Facts* (Doc. 238) herein.

4. Attached hereto as Exhibit D is a true and correct copy of excerpts of the testimony of witnesses in the trial of *Doug Lair, et al. v. James Murry, et al.*, U.S. District Court (Montana) No. 6:12-cv-00012CCL, held in Helena, Montana from September 12-14, 2012. These excerpts are in addition to those from the same trial cited in *Plaintiffs' Statement of Undisputed Facts* (Doc. 238) herein.

5. Attached hereto as Exhibit E is a true and correct copy of the transcript of the deposition of Jonathan Motl, taken in this case on January 29, 2016. These excerpts are in addition to those from the same trial cited in *Plaintiffs' Statement of Undisputed Facts* (Doc. 238) herein.

6. I hereby declare under penalty of perjury under the laws of the State of Montana that the foregoing is true and correct to the best of my knowledge.

DATED this 4th day of April, 2016.

/s/ Patrick M. Risken  
PATRICK M. RISKEN  
Assistant Attorney General  
Counsel for Defendants

## **CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing document with the clerk of the court for the United States District Court for the District of Montana, using cm/ecf system. Participants in the case who are registered cm/ecf users will be served by the cm/ecf system.

Dated: April 4, 2016

/s/ Patrick M. Risken

PATRICK M. RISKEN  
Assistant Attorney General  
Counsel for Defendants